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THE WORLD'S LEADING MYSTERY MAGAZINE

ELLERY QUEEN

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JACK RITCHIE

"Ralph," Henry said, "one must not jump to conclusions just because of a few shreds of evidence. One must approach the problem with an open mind. One must sift and winnow and deduct to reach the final truth."

Lucinda turned to Ralph. "Are you positive he's a detective-sergeant?" . . .

THE FINAL TRUTH

by JACK RITCHIE

The wallet, conspicuously empty of money, had been found on the floor of the hotel room next to the body.

Ralph and I waited until the fingerprint experts were done with it before we examined its other contents. We found a driver's license, social-security card, various credit cards, and other items indicating that the deceased had been one James L. Spencer and that he had been a Certified Public Accountant residing in San Francisco, which is some two thousand miles from here, as the jet flies.

We also found one local card, upon which was imprinted the name of Amos O'Reilly and information indicating that O'Reilly was an investment counselor having offices in our city.

"Well, Ralph, what do you make of this?"

"Spencer found somebody in his room when he came back from wherever he'd been. He resisted being robbed and got stabbed for his stubbornness."

I began my relentless deduction. "Ralph, you have no doubt noticed that the victim is in his shirtsleeves. His suitcoat is on a hanger in an otherwise empty closet. There is a bottle of bourbon with three

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fingers of its contents missing and a single empty but used glass on the night table."

"So?"

"So if Spencer came back to his room and found an intruder, would that intruder have allowed him to take off his suitcoat, hang it in the closet, make himself a drink or two, and consume them before he stabbed and robbed Spencer?"

"Henry, is there any law saying a man has to take off his suitcoat and hang it in the closet before he pours himself a drink? So he had the drink, took off his suitcoat, and when he opened the closet door to hang it up he found himself eyeball to eyeball with the intruder."

"Why would the intruder hide in the closet while Spencer took his time about having a drink or two? Why didn't he just step right out and get down to business?"

"Because he didn't really want to stab anybody, Henry. He had been going through the room, looking for valuables, when he heard Spencer's key in the lock. So he ducked into the closet, hoping Spencer would go away again, or at least fall asleep or something, so that he could make his getaway."

"Very well, Ralph. Suppose that Spencer *did* open the closet and discover the intruder. Would it follow that Spencer would calmly finish hanging up his suitcoat? You'll notice that the corpse is in the middle of the room at least fifteen feet from the closet."

Ralph does not give up easily. "Maybe he hid under the bed."

I examined Amos O'Reilly's card. "I think it behooves us to find out why Spencer came here from San Francisco in the first place and we will begin with Amos O'Reilly."

We drove to the Browder Building and found Amos O'Reilly's firm on the eleventh floor.

We were directed to O'Reilly's private secretary, who in turn took my card and disappeared into the office behind her. She returned moments later and ushered us into the presence of O'Reilly himself.

O'Reilly was a man in his middle sixties, thin, and plainly worried as he stared at my card. "Detective-Sergeant Henry S. Turnbuckle, MPD? What can I do for you?"

"Do you know a certain James L. Spencer?"

"Yes," he said cautiously.

I came to the point. "Sir, this James L. Spencer was stabbed to death in his hotel room, probably sometime last night. His body was discovered by a maid this morning."

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O'Reilly seemed to think about that. Deeply.

I smiled grimly. "Now, sir, who is—or was—this James L. Spencer?"

"For one thing, a newly rich man." O'Reilly sighed. "Perhaps I ought to start at the beginning. And that would be with Uriah Hollister.

"Uriah Hollister was my friend for over forty years. Perhaps, in a sense, I was the *only* friend he had, especially during the last years of his life. He was something of a recluse, living in a rather isolated large house in the country. At one time he staffed it with the number of servants required for a structure of that size, but as he withdrew more and more from the world he dismissed them until the only other person in the house besides himself was Franklin. Franklin must be pushing his seventies now. He was Hollister's man of all parts, including that of cook.

"I doubt if Hollister ever so much as left the house in the last fifteen years of his life. And as far as I know, he had no visitors except for me. I usually drove up there on the average of once a month, mostly for business purpose. I am an investment counselor and also the executor of his estate, which was worth some two million dollars when he died. That was four days ago."

O'Reilly paused for a moment. "Approximately five years ago Hollister decided to leave his estate to blood relatives, however remote, rather than to charities, as he had until then intended to do, and he commissioned me to find some.

"Complying with his wishes, I retained the services of a detective agency—Albermarle Investigations, Inc. Albermarle went to work and eventually dug up two people who qualified. One of them was James L. Spencer, of San Francisco."

I asked the expected question. "And the other?"

"Lucinda Pelletier, of Sheboygan. Miss Pelletier is at present staying in Uriah Hollister's house. She preferred it to a hotel, though Spencer did not."

I recapitulated. "And so five years ago these two people were informed they were Hollister's heirs?"

"No. They knew nothing whatsoever about their status until I informed them after Hollister's death. He merely wanted to know that they existed and could be reached when the time came. He didn't want them descending on him and disturbing his privacy while he was still alive."

I had a question. "You say you were Hollister's best, and perhaps only, friend? Then why is it that he did not mention you in his will?"

"Actually, he intended to leave me two hundred thousand dollars. However, I pointed out to him that since I was his attorney, his financial adviser, and also his executor, leaving me a sum of money that size might arouse suspicions of undue influence, which could delay the execution of the will, possibly for a long, long time, while an investigation was made."

I still had my doubts. "Sir, are you telling me that you turned down a bequest of two hundred thousand dollars?"

He nodded. "While I don't belittle two hundred thousand dollars, I don't actually *need* it. Let us say that I am by no means a poor man. I appreciated Hollister's gesture, but I thought it wiser not to be included in his will."

I moved on. "Spencer and Lucinda Pelletier divide Hollister's estate even-steven?"

"There was just one other bequest. Franklin gets one hundred thousand dollars."

I considered a point. "Is there perhaps some codicil in the will whereby, in the event of the death of one of the heirs, his or her half of the estate would go to the other?"

"There is. However, that paragraph would have been applicable only while Hollister was still alive. The moment he died each heir automatically became entitled to his share of the estate even though I have not yet performed the technicality of formally reading them the will. Spencer's share of the estate now goes to his heir, or heirs, if he has any."

"Ah," I said, "But did this Miss Lucinda Pelletier *know* this? Or was she under the impression that Spencer's half of the estate would go to *her* should something happen to him *before* the formal reading of the will?"

"I rather doubt that."

I asked O'Reilly how to get to the late Hollister's estate, but he did better than that, offering to go along with us and show us the way. Before we left, I borrowed the use of his phone to inform headquarters where Ralph and I could be reached in the event we were needed.

The trip to Hollister's place proved to be a twenty-five mile drive into a countryside of prosperous dairy farms. We eventually turned

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into a long weedy driveway and parked in front of a large structure set amid a rather nice grove of trees.

Off to one side, in the shade of an elm, I saw a gray-haired man reclining in a lawn chair. He raised his glass in salutation, but did not rise.

"That's Franklin," O'Reilly said. "I'd say he's been celebrating."

O'Reilly and Ralph entered the house, but I thought I would linger behind and ask Franklin a few canny questions. I approached him through the tall grass and introduced myself.

He stared at me. "Can't say that I expected you. But you're here. How did you find out?"

Find out? Find out what? But I smiled knowingly. "We policemen have our ways."

Franklin looked at his empty glass and rose. "I must have made a mistake somewhere down the line. Let's go inside."

We entered the house from the rear and stepped into a large kitchen.

"Would you care for anything to drink?" he asked.

"No, thank you."

He pulled the cork from a bottle of brandy and poured generously into his glass. We sat down at one of the kitchen tables.

He studied me. "They say that confession is good for the soul."

I nodded earnestly. "Truer words were never spoken."

"Where shall I start?"

"Anywhere you like."

He thought about that. "Well, he retired at ten every night. And once he was settled in bed I would bring him his glass of warm milk. He was rather old-fashioned in that respect."

I had the feeling that we were not on the same wave-length. "Go on."

"That evening, before I brought him the milk, I laced it with two dozen of my sleeping tablets. He drank it without question and fell into the eternal sleep. It was an absolutely painless death, I assure you."

I was still not quite zeroed in. "And the motive for this killing?"

"Why, the hundred thousand dollars, of course. He left me that amount in his will, you know."

I now grasped the situation. "Hollister threatened to cut you out of his will for some reason or another? And so you had to kill him before he could get the will changed?"

"No, sir. It wasn't that."

"Very well, then you just couldn't wait for him to die a natural death?"

"In a manner of speaking, sir, no. Though I *did* give him an alternative."

"Alternative?"

"Yes, sir. You see, I had worked for Mr. Hollister for some forty-three years."

I nodded. "The faithful retainer."

"I wouldn't put it that way, sir. A job is a job. Actually, the pay wasn't all that good, but I have always liked security."

Franklin fortified himself with another sip of brandy. "Well, sir, here I was, past sixty-five and time to retire. But what would my future be? I had saved money, but I had invested it through Mr. O'Reilly and somehow it had disappeared. I had almost nothing to look forward to except my social-security benefits.

"However, I knew I was mentioned in Hollister's will to the tune of one hundred thousand dollars. So I went to him and asked him why he couldn't simply give me that money *now* when I could use it rather than waiting for God knew how many more years before he died. He turned me down cold. I think he just didn't want me to retire. He dreaded the thought of having to hire and get used to someone else. My only recourse was to give him the spiked milk."

I was amazed. Here I had come to this house on an entirely different matter and Franklin's confession had fallen into my lap.

Perhaps I was *too* amazed and it showed on my face. Franklin paused on the way to another sip of brandy. Then he seemed to comprehend. "You mean you didn't come here about Hollister's death? You have no proof that I poisoned him?"

I could not tell a lie. "Actually, I came here as part of the investigation into the death of James L. Spencer. He was stabbed to extinction in his hotel room."

I took the celluloid card out of my breast coat pocket. "I am going to read you your rights."

Franklin had pulled himself together. "Why?"

"You have just confessed to murder."

He agreed. "Ah, yes. But only you and I know that. And so it is your word against mine that the event ever occurred. And in this great democracy of ours it is not my job to prove that I am innocent, but yours to prove I am guilty. And now I suspect you won't be able to do that."

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I put the card back into my pocket. "There will, of course, be an autopsy on Hollister's remains."

"He was cremated, sir."

I pursued. "We have quite competent chemists in the department who will sift his ashes and they are bound to come up with enough evidence to send you to prison."

Franklin smiled. "The ashes were scattered over Lake Michigan."

Why did things like this always happen to me? I brooded. "Do you happen to have any sherry in the house?"

He nodded and produced a bottle from a cabinet. I watched carefully as he poured me a glass and was in the process of consuming it when Ralph entered the kitchen. He stared at the sherry. "What's wrong?"

"Nothing," I said firmly. "Absolutely nothing."

Ralph explained to Franklin. "Henry never drinks sherry, or anything else, unless he's been stymied on a case."

I finished the glass quickly and rose. "Let us question this Lucinda Pelletier person."

We joined O'Reilly in the drawing room just as Lucinda Pelletier entered the house via the back terrace.

She was a small woman with black hair and violet eyes, probably in her middle twenties. She waxed enthusiastic. "I've been exploring the grounds. This place cries for people. Hordes of children. An extended family. Uncles, aunts, grandpas, grandmas. Maybe even a husband. There's a huge space out there that's perfect for a garden and I know just where I'll put the compost pile. Are you into gardening?"

I beamed. "Not at the moment. But when I was a lad I achieved a certain amount of neighborhood fame for my kohlrabi and brussels sprouts." Then I remembered why I was here. I introduced myself, conveyed the news of Spencer's death, and tossed out a routine question. "Miss Pelletier, you are from Sheboygan?"

"Yes. I'm a primary-school teacher. I still live at home with my father and my mother."

I nodded and then caught myself. "Your father and your mother?"

"Yes."

I realized that no one else had caught the obvious incongruity. "If your father and your mother are both *alive*, then why wasn't one of them mentioned in Hollister's will? After all, he or she is one generation closer to Uriah Hollister than you are."

She had an explanation handy. "Actually, my real and true par-

ents were killed in an automobile accident when I was less than a year old. The Pelletiers were neighbors and they adopted me."

I regarded her critically. "It has suddenly occurred to me that just as a person will kill to *acquire* money, it is also possible that a person will kill in order to *keep* the money he, or in some cases, *she* has acquired."

She cocked her head slightly. "What is that supposed to mean?"

Franklin appeared in the doorway, swaying slightly. "There is a phone call from police headquarters."

Ralph left to take the call and I turned to O'Reilly. "You say that Albermarle Investigations handled the search for Uriah Hollister's relatives?"

"Yes."

"And what do we know about this mysterious Albermarle Investigations?"

"The firm's been in business for over seventy years. It has an A-1 reputation."

"Ah, yes," I said judiciously. "The *firm* has an A-1 reputation. But can we say the same for each and every individual it employs?" I chuckled knowingly. "Let us speculate for a moment. Suppose that one of these agents, these operatives, finding no legitimate heir, decides that he will nevertheless present one anyway. And he and this provided heir will split, or otherwise share, the take once that heir has received her portion of the estate."

"And I further put it to you that James L. Spencer, somehow discovering this deception, threatened to go to the police. The only way he could be silenced was to kill him."

"Ha," Lucinda said in rebuttal. "I have a genuine birth certificate attesting that I am unquestionably a Hollister."

I chuckled again. "Rest assured that I shall leave no birth certificate unturned to get at the truth."

Ralph came back into the room. "Henry, they think they've got the man who killed Spencer. A bellboy named Jimmy Davis."

I blinked.

Ralph continued. "Schmidt and Murphy were questioning the hotel employees and they got around to Jimmy. Schmidt recognized him as being on parole. He also remembered why Davis had been sent up in the first place—for breaking and entering. Mostly hotel rooms. So Schmidt and Murphy searched Davis's room. He has one in the basement of the hotel. They found eight new one-hundred-

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dollar bills in an envelope under his mattress. They figure it was loot from Spencer's wallet."

Franklin had been listening too. He now extended a sympathetic smile. "Shall I get you another sherry, sir?"

I regrouped. "Has this bellboy *confessed* to the crime?"

"Not yet. He asked for a lawyer."

"Ah ha!" I said decisively. "Did he explain how he happened to be in the possession of the eight hundred dollars?"

"He claims he never saw the money before in his life. He thinks that somebody who knew about his record planted it there so he would be blamed for the murder."

"Ralph," I said, "that is a distinct possibility bearing investigation. One must not jump to conclusions just because of a few shreds of evidence. One must approach the problem with an open mind. One must sift and winnow and deduct to reach the final truth."

Lucinda turned to Ralph. "Are you positive he's a detective-sergeant?"

Ralph nodded. "Nobody can understand it. Not even the people who promoted him."

Ralph was joshing, of course.

Lucinda became thoughtful. "Now that I remember it, Spencer didn't seem happy like a man should be when he learns he's inherited a million dollars. And he told me privately that his dead father had often mentioned that there was an uncle in the family who was worth at least *ten* million dollars."

Now she turned on Amos O'Reilly. "How large an estate did Uriah Hollister leave?"

O'Reilly cleared his throat. "About two million dollars."

She smiled sweetly. "But how large was that estate, let us say, five years ago?"

O'Reilly paled.

"Well, well," Lucinda announced triumphantly. "We have hit upon the quick, have we not? And we shall leave no audit unturned until we get at the final truth. We shall sift and winnow and deduct without mercy."

O'Reilly sank into a chair and wiped his forehead with a handkerchief. "You will?"

"Now see here, Lucinda," I pointed out. "I am in charge of this—"

She directed a "Hush" in my direction and we waited.

Finally O'Reilly sighed. "If only he hadn't been a Certified Public Accountant. I mean how's that for bad luck? All kinds of heirs in

the world and I have to draw a C.P.A. who's suspicious. You'd think that anybody who inherited a million dollars would just be grateful and leave it at that. But not Spencer. *He wanted to investigate.*"

O'Reilly used the handkerchief again. "Uriah Hollister wasn't at all interested in his money. He left *everything* in my hands and he trusted me implicitly. Ten million dollars. That's how much he had at one time."

I took control. "You mean to say that you embezzled or otherwise stole approximately eight million dollars?"

He seemed deeply shocked. "Embezzled? Stole? Good heavens, no. Perhaps I should have left Uriah's assets as they were but, after all, I am an investment counselor and it was practically my duty to do everything I could to increase his holdings. I just can't understand it, but every investment I made for Uriah seemed to go sour. And over the course of the years some eight million dollars just dribbled away." He frowned. "And for some reason, I had the same trouble with Franklin."

He shook his head sadly. "I begged Hollister time and time again to get someone else to handle his finances, but he just didn't care. He wanted only enough money to keep him going in this house and he regarded any other money as surplus not worth crying about."

I narrowed my eyes. "And so to conceal your ineptitude from the world and thwart Spencer's investigation, you went to his hotel room and stabbed him to death."

Again he exhibited shock. "Kill Spencer? But I didn't kill Spencer."

My temper was definitely frayed. "Then damn it, man, why the devil did you have the temerity to turn pale when Lucinda pointed a finger at you?"

"Well, wouldn't you turn pale if *your* reputation as an investment counselor was about to be ruined? Sir, I am as honest as the day is long and I can account for every penny gone. However, if knowledge of what happened to Hollister's estate gets out I could lose half of my clients, if not all."

Somewhere in the house I heard the faint ring of a telephone. I knew, I just *knew* it wasn't going to bring good news.

Ralph took the call and returned.

"Well, Henry, they found a few dried-blood spots on the elbow of the bellboy's uniform. Also a pocket knife. So Davis decided to confess. He says he was going through Spencer's luggage when he heard Spencer at the door, so quick, he hid under the bed."

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I closed my eyes.

"He was going to stay there until Spencer fell asleep or left the room, whichever came first, but after a while Spencer discovered him and pulled him out. He was working Davis over when Davis pulled out his pocket knife and used it. He claims self-defense and he's got some bruises to back up his story."

I went to the French windows and stared out at the grounds.
"Ralph, I've struck out three times today."

"Only twice, Henry."

He didn't know about Franklin's confession and he was never going to.

"Henry," Ralph said. "Don't tell me you're getting disillusioned with police work?"

"Ralph, I am *never* disillusioned. In order to become disillusioned one must first have illusions. If one has illusions one sees what is not there. And if one sees what is not there one is in trouble from the very beginning. No, Ralph, I am not disillusioned. Downhearted, depressed, and despondent perhaps, but *not* disillusioned."

I heard Franklin clear his throat and I turned. He carried a tray upon which stood a bottle of sherry and a large water glass.

I still had my pride. "No," I said firmly. "No."

Nevertheless, when I got to my apartment that evening I brought down the bottle of sherry from the kitchen cupboard and poured myself a stiff three fingers.

The next morning, my day off, I was reading my *Organic Gardening* when the phone rang.

It was Lucinda. "Do you know how to work these soil-testing kits?" she asked.

I recognized a trap when I heard one. I told her I'd be right over.

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